

Appendix B.
Letters of Opposition



MILWAUKEE COUNTY BOARD OF SUPERVISORS

SUPERVISOR JAMES G. WHITE

2ND VICE CHAIRMAN

CHAIRMAN:

Transportation, Public Works and Transit Committee

MEMBER

Economic and Community Development Committee

Milwaukee County Research Park-Board of Directors

Wisconsin Counties Association Board of Directors



1st DISTRICT

Wednesday, March 9, 2005

Stan Stojkovic, Ph.D.
Dean and Professor
University of Wisconsin-Milwaukee
Enderis Hall, Room 1099
P.O. Box 786
Milwaukee, Wisconsin 53201

Dear Mr. Stojkovic & the Sexually Violent Person Transitional Facility Siting Advisory Committee:

On behalf of my constituents as well as many of my colleagues, I'm strongly opposed to the proposed sexually violent person site of 3751 West Mill Road.

Proximity of the Mill Road property is too close to the home of convicted sex offender Billy Lee Morford. The community does not need another offender living amongst them, particularly the children.

In closing, I strongly encourage the Sexually Violent Person Transitional Facility Siting Advisory Committee to reconsider a different site, for the Mill Road property is too near the home of another offender.

Respectfully,

James G. White
Milwaukee County Supervisor, 1st District



JOSEPH A. RICE
MILWAUKEE COUNTY SUPERVISOR

March 9, 2005

Mr. Stan Stojkovic Chair
Sexually Violent Persons Transitional Facility Siting Advisory Committee
School of Social Welfare
University of Wisconsin – Milwaukee
2400 East Hartford Avenue
Milwaukee, WI 53211

Dear Mr. Stojkovic:

I am in receipt of your letter of March 4, 2005, which was received on March 8, 2005, after public announcement of your committee's determination. For a variety of reasons stated below, I am writing to express my strong objection to the committee's decision to include the property at 10401 West County Line Road in Milwaukee as a potential site to house sexually violent persons.

Your letter cites as authority for the committee's decision 2003 Wisconsin Act 187. That Act defines the dangerous nature of the individuals who will be housed in such a facility as follows: "*The person is dangerous to others because the person's mental disorder makes it likely that he or she will engage in acts of sexual violence*", see 980.02 (2)(c) Wis.Stats. In view of the propensity for recidivism of these individuals, there is a vital public interest that the community – particularly residential neighborhoods – be protected from such individuals.

In close proximity to the selected address on County Line Road are residential neighborhoods with families and young children, as well as the John C. Cudahy YMCA. The following demographic data from the most recent census data for the census tract in which the property is located further emphasizes the inappropriateness of locating this facility at that address:

- 1059 households contain families (59.6%)
- 759 households have children under 18 years (42.8%)
- 1612 children under the age of 14 reside in the immediate area

Your committee's criteria for site selection as cited in your letter include a preference for sites in a "light industrial" area. The committee failed to apply this criterion in the case of this location as the property located at 10401 West County Line Road cannot and should not be considered a "light industrial" area.

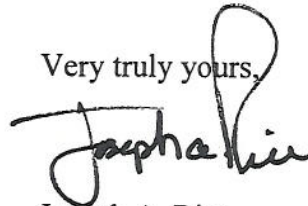
Mr. Stan Stojkiovic, Chair
March 9, 2005
Page Two

The City of Milwaukee has zoned this property "RS3". That zoning classification is a Single-family residential district – and therefore inappropriate for a facility housing sexually violent persons. The city's zoning code describes this district as follows:

The purpose of the RSI-RS5 districts is to promote, preserve and protect neighborhoods intended for single-family dwellings and having a character slightly more suburban than the RS6 district. These districts require larger lots, larger setbacks and smaller lot coverage than the RS6 district. The neighborhoods found in these districts feature a regular platting pattern and a more uniform pattern of development than those of the RS6 district. These neighborhoods were patted and developed, in large part, in the mid – to late – 1900s, with some areas recently developed.

The selection of this site appears to conflict with the stated criteria and is inappropriate for the intended use. I ask that you delete it from further consideration and further request that this letter be placed in the formal record of proceedings on this matter. The committee should be advised that I intend to vigorously oppose any effort to rezone the property or obtain title to the property from Milwaukee County. I urge your committee to seek other, more appropriate sites.

Very truly yours,



Joseph A. Rice
Supervisor, District 6

JAR/ag

cc: County Executive Scott Walker
Mayor Thomas Barrett, City of Milwaukee
State Senator Alberta Darling
State Representative Curt Gielow
Alderman Robert W. Puente, City of Milwaukee
Mayor Christine Nuernberg, City of Mequon
Alderman John Wirth, City of Mequon
Lee Szymborski, Mequon City Administrator



Alderman Robert W. Puente
9th District

March 9, 2005

Member
Public Safety Committee
Public Improvements Committee
Utilities & Licenses Committee

Stan Stojkovic, Chairperson
SVP Transitional Facility Siting Advisory Committee
School of Social Welfare
University of Wisconsin-Milwaukee
2400 E Hartford Ave
Milwaukee, WI 53201

Dear Chairperson Stojkovic:

I am writing to express my opposition to the Sexually Violent Persons Transitional Facility Siting Advisory Committee's preliminary inclusion of the property located at 10401 West County Line Road as a potential location of a transitional facility for the housing of sexually violent persons.

The siting of a 12-bed transitional facility at the property located at 10401 West County Line Road would concentrate sexually violent persons at a location near a high density of residents and substantially increase the risk that a sexually violent offense would be committed.

In addition, given the fact that the state of Wisconsin does not own or operate transitional facilities for sexually violent persons anywhere else in the state, the siting of a state-operated transitional facility at the property located at 10401 West County Line Road provides no guarantee, under existing law, that the Courts in other counties would not order the placement of nonresidents at the facility.

Furthermore, the availability of such a large transitional facility at the property located at 10401 West County Line Road could unduly influence the decisions of the Courts and presumably increase the number of sexually violent persons granted Supervised Release.

Therefore, it is my position that the totality of the serious and substantial concerns raised herein warrants the removal of the property located at 10401 West County Line Road from the list of potential locations for a transitional facility.

I strongly urge the committee to continue its search of potential locations for the placement of such a facility and further urge the committee to amend its search criteria to better ensure that the placement of a transitional facility would not be located in such close proximity to vulnerable elements of our society.

Sincerely,

Robert W. Puente
Alderman, 9th District

RWP:cac

CHAIR:

• CITY INFORMATION MANAGEMENT COMMITTEE

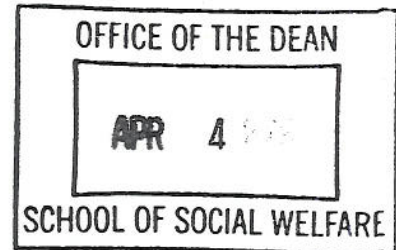
VICE-CHAIR:

• JUDICIARY & LEGISLATION COMMITTEE

MEMBER:

• PLANNING, NEIGHBORHOODS
& DEVELOPMENT COMMITTEE

• COMMUNITY & ECONOMIC
DEVELOPMENT COMMITTEE



ASHANTI HAMILTON

ALDERMAN, 1ST DISTRICT

March 31, 2005

Dr. Stan Stojkovic
University of Wisconsin-Milwaukee
2400 East Hartford Avenue
Milwaukee, WI 53211

Dear Dr. Stojkovic:

I am sending you a petition signed by residents of both Milwaukee and Glendale. These residents and I are opposed to building a Transitional Facility for Sexually Violent Persons at 3751 West Mill Road. This site is too close to schools, homes and other places where would-be victims young and old might congregate.

In closing, I strongly encourage that the sitting advisory committee for the Transitional Facility for Sexually Violent Persons tries to locate sites that are appropriate for placement of these individuals.

Respectfully,

A handwritten signature in black ink, appearing to read "Ashanti Hamilton".

Alderman Ashanti Hamilton
1st Aldermanic District

AH:so



City of Franklin

9229 West Loomis Road, Franklin, Wisconsin 53132-9728

April 4, 2005

Dr. Stan Stojkovic
Chair
Sexually Violent Persons Transitional Facility Siting Advisory Committee
1095 Enderis Hall
2400 East Hartford Avenue
Milwaukee, Wisconsin 53201

Dear Dr. Stojkovic, Committee Members:

You have asked that we partner with you to find a site. In the summer of 2003 I publicly stated that it was unfair for Mayor Norquist to suggest a site to house predators outside his city. Mayor Norquist suggested a site not far from the site you are contemplating. He had no information and I strongly doubt that he had ever been anywhere near the site he was suggesting. I worry that the same holds true this time as well.

Ethically, it's difficult for me to make a suggestion of which I am not fully informed.

There have been multiple sites suggested by others that appear on the surface to meet the criteria set forth under Act 187. Those include Jones Island and a site south of St. Paul Street on Plankinton Ave. and locations in the Menominee River Valley. A constituent of mine has sent a list of more than 500 City of Milwaukee owned properties currently available for sale. That list should be explored.

But much better than that, I urge the committee to consider the options in 980.08 (5) whereby "the department may arrange for another county to prepare the plan..."

Certainly there are less densely populated areas within the state that would benefit from the financial provisions under 980 and Act 187. Given the population within Milwaukee County, I believe negotiations with an "out-state" county to be appropriate.

Should you choose not to accept these and the other recommendations that you've been offered, then I implore you to take time from your busy schedules to tour the neighborhoods that you propose to affect. View the area for yourselves. Meet with the neighbors. Be informed. The City of Franklin would be happy to arrange such a tour.

Sincerely,

Steve Olson
Alderman, District 1

CERTIFICATION

I, Sandra L. Wesolowski, City Clerk of the City of Franklin, Milwaukee County, Wisconsin, do hereby certify that I have compared the annexed copy of Resolution No. 2005-5846, with the original thereof on file and recorded in the City Clerk's Office which was adopted on the 21st day of March, 2005, and that the same is a true and correct copy of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the seal of said City of Franklin, Wisconsin, this 31st day of March, 2005.



Sandra L. Wesolowski
Sandra L. Wesolowski
City Clerk

RESOLUTION NO. 2005- 5846A RESOLUTION OPPOSING THE PLACEMENT OF
SEXUAL PREDATORS WITHIN THE CITY OF FRANKLIN

WHEREAS, the Advisory Committee for the Siting of a Sexually Violent Persons Transitional Facility in Milwaukee County (the Committee), acting under the authority of 2003 Wisconsin Act 187, has been charged to identify and recommend three possible locations for housing sexually violent persons in Milwaukee County; and

WHEREAS, Chapter 980 of the Wisconsin Statutes defines a sexually violent person as a person who is dangerous because the person suffers from a mental disorder making it more likely than not that the person *will* engage in acts of sexual violence and *will* re-commit violent sex crimes; and

WHEREAS, the State Legislature contemplated the danger to the community in providing specific criteria to the Committee through Act 187; and

WHEREAS, current reportorial evidence of the recidivism of sexual predators and the danger presented to the community is provided by the March 20, 2005 Sunday edition of the *Milwaukee Journal Sentinel*, describing the end to a three week search for a 9 year old girl in Florida; the reported allegations including her abduction from her bedroom on February 23 and the discovery of her remains on March 19, following the confession by a "registered" sex offender, who confessed to the kidnapping and killing and told authorities where to look for the missing girl; and

WHEREAS, the Committee shall consider a number of factors when determining specific locations to house sexually violent persons including, but not limited to the following: community safety; proximity to sensitive locations; accessibility to treatment; and proximity to any residential subdivision and any facility for children; and

WHEREAS, the Committee has identified an address that may be on the grounds of the Milwaukee County House of Correction as one of the locations to establish a facility for sexually violent persons; and

WHEREAS, the identification selection and inclusion of lands surrounding the House of Correction meets none of the criteria required for consideration under Act 187; and

WHEREAS, the parcel of land in Franklin identified by the Committee is also the home of the Franklin Little League, supporting five baseball diamonds in constant use by more than 900 children; the parcel of land in Franklin identified by the Committee also

adjoins Croation Federation Park, home of the Croation Eagles soccer team, whose players are children from all over the area; the parcel of land in Franklin identified by the Committee is also across the street from the property supporting the Milwaukee County Oak Leaf Trail, a walking and biking path used year round; and the parcel of land in Franklin identified by the Committee is also within walking distance for the Franklin Seniors Walking Club, using the Milwaukee County Sports Complex, which also supports both indoor and outdoor soccer fields for children; and

WHEREAS, the location is surrounded by long-established residential subdivisions, new residential subdivisions and planned residential subdivisions, which currently and already are home to more than one-fourth of the children enrolled in the Franklin Public Schools; and

WHEREAS, the Committee has announced that it would look for sites in "light industrial" areas, while the House of Correction location is generally surrounded by residential subdivisions and recreational areas; and

WHEREAS, the House of Correction site is a remote location in the sense that it does not afford easy access to treatment facilities, public transportation or public security as contemplated by Act 187; and

WHEREAS, Milwaukee County Executive Scott Walker and Acting Director of Economic Development Tim Russell have declared the County-owned parcels identified by the Committee to be not for sale; and

WHEREAS, the City of Franklin and its Citizens believe that the recommendation of the House of Correction location is contrary to the factors outlined in Act 187 that shall be considered in selecting a site; and

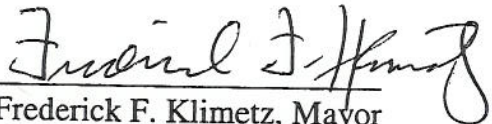
WHEREAS, any House of Correction site identification selection for housing sexually violent offenders will be one that will endanger the safety of the children and families of the region and will put an undue burden on the spirit and financial resources of a growing Community.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the City of Franklin hereby demands that the Advisory Committee for the Siting of a Sexually Violent Persons Transitional Facility in Milwaukee County immediately remove the House of Correction (9201 South 68th Street) site, and any other site within the City of Franklin, as such other sites have been previously rejected, from any consideration as a site for a transitional facility for sexually violent persons.

Introduced at a special meeting of the Common Council of the City of Franklin this 21st day of March, 2005 by Alderman Olson.

Passed and adopted at a special meeting of the Common Council of the City of Franklin this 21st day of March, 2005.

APPROVED:


Frederick F. Klimetz, Mayor

ATTEST:


Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0



Office of the City Attorney
Jesse A. Wesolowski, City Attorney
David D. Fleming, Assistant City Attorney

Private Office: 11402 West Church Street, Franklin, WI 53132 (414) 529-8900 Fax: (414) 529-2121

April 5, 2005

Hand Delivered

Advisory Committee for the
Siting of a Sexually Violent
Persons Transitional Facility
in Milwaukee County
Dr. Stan Stojkovic, Chairman
c/o University of Wisconsin-Milwaukee
1095 Enderis Hall
2400 East Hartford Avenue
Milwaukee, Wisconsin 53201

Re: City and Community of Franklin
materials submission in part

Dear Chairman Stojkovic:

Delivered herewith is a copy of the audio tape of a Special Common Council meeting of the City of Franklin Common Council, held on March 15, 2005, upon which the Public was heard regarding the location of a transitional facility for the housing of persons committed to the custody of the Department of Health and Family Services under Chapter 980 of the Statutes, Sexually Violent Person Commitments, submitted to you for inclusion within the record of the Committee's proceedings. This evidentiary submission includes an additional 16 copies of the tape for utilization by each of the Committee members and designees in the Committee's deliberations.

Also delivered herewith is a certified copy of City of Franklin Resolution No. 2005-5846, A Resolution Opposing the Placement of Sexual Predators Within the City of Franklin, unanimously adopted by the Franklin Common Council on March 21, 2005, together with 16 copies thereof for distribution in like manner as above.

Cordially,



Jesse A. Wesolowski

cc: Mayor and Common Council
James H. Baxter III, Esq.



11333 N. Cedarburg Road 60W
Mequon, Wisconsin 53092-1930
Phone (262) 236-2944
FAX (262) 242-9819
[www/ci.mequon.wi.us](http://www.ci.mequon.wi.us)

Mayor Christine Nuernberg

April 4, 2005

Dean Stan Stojkovic, Chair
Sexually Violent Persons Transitional Facility Siting Advisory Committee
2400 East Hartford Avenue
Endres Hall, rm 1094
Milwaukee, WI 53211

Dear Mr. Stojkovic;

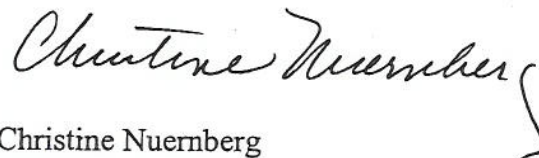
The process of siting a location for a sexually violent persons' transitional facility became more contentious than was necessary due to the process the committee employed. Because you and the other committee members will continue to work to find an appropriate and necessary facility, I offer these observations and suggestions to improve the process so that you can ultimately be successful.

1. **Sharing Information.** When stakeholders, including neighbors and members of the public, are not given the information they need to make rational decisions, they are left to assume much. Many times their assumptions are faulty. For instance, people had varying and many times incorrect views about what supervision would occur at a new facility. People also speculated about why you selected the sites you did. This was particularly the case because the DHFS site reports that your committee reviewed where wholly inadequate and also in many instances incorrect. Also, the public still has not heard why other potential sites have not been considered or are no longer being considered. So please share much more information so that people can become partners rather than adversaries. Only when you start to share information and are open will people trust you and then work with you.
2. **Notice.** Mequon citizens' were angered that the committee did not provide notice to the city of Mequon that you were considering a site on our border. It left the impression with many that you were attempting to "sneak" it by us. People saw the lack of notice as arrogant and concluded that you had no interest in working with the community. That impression is much more powerful than your comments at the March 22 meeting in which you asked for cooperation from the community to locate and successfully site a facility. Please provide notice to communities and neighborhoods and use that as an opportunity to invite the community to work with you.

3. Public Input. You stated at the March 22 hearing that you were required by law to hold a public hearing and listen to everyone who registered to speak. But your interest in hearing from the public, after having not permitted people to speak at your committee meetings, came too late in the process. Also your comment in the newspaper that you would not be swayed by the public's comments enraged people. By the time the public was allowed to express its view at the public hearing, people were angry and the credibility of the committee's interest in having public input was damaged. Please rethink the process so that you get public participation and ownership in the beginning rather than criticizing people at the end for not being helpful—particularly when they were given little opportunity to be helpful.
4. Site selection process. The Committee needs to have adequate resources to fulfill its responsibilities. Rather than committee members driving around looking at land about which they know little, secure the services of various state of Wisconsin employees who have expertise in real estate and land use. For instance, GIS services can map many variables such as census data that will document the number of children residing in the area. GIS can also provide zoning information. A small group of state employees who deal with real estate on a regular basis can brain storm to come up with general areas to investigate. For instance, in what zoning districts would such a facility be a permitted use? And in what areas of the county do few if any children reside or have child caring facilities? The committee could overlay the various variables such as census data, zoning information and child caring facilities to zero in on more promising areas. Eventually, staff needs to do significant leg work. Sitting in Madison and looking at a database of day care facility licenses is not good enough. In the case of the County Line site, the DHFS site report that your committee reviewed failed to document a number of day care facilities, playgrounds, and even a nearby elementary school.
5. Specific sites. People have suggested a number of sites such as industrial parks, Jones Island, Menomonee River Valley, etc. One area that may be promising is land owned by the State of Wisconsin. Not only does it own considerable real estate, it most likely owns a significant amount of land that is zoned institutional that may have a residential facility as a permitted use. You might even consider the possibility of taking part of a state office building in an urban setting and converting some portion of it to housing. Such a mixed use is not far fetched. In fact the state's public policy as expressed through smart growth would favor this.

The committee members need to improve the site selection process. If you genuinely seek the public's input and want to engage them in a partnership where their contributions are valued, you will not be confronted by over 1,000 angry individuals in the future. More importantly, you will be able to complete a very important task—that of finding a location to house individuals who have been sexually violent. I wish you the best because you do have an important task to accomplish.

Sincerely,



Christine Nuernberg
Mayor

**COMMON COUNCIL
OF THE
CITY OF MEQUON**

RESOLUTION NO. 2557

**A Resolution Opposing the Location of a
Residential Facility for Sexually Violent Persons at
10401 West County Line Road, Milwaukee, Wisconsin**

WHEREAS the Sexually Violent Persons Transitional Facility Siting Advisory Committee (the Committee), acting under the authority of 2003 Wisconsin Act 187, has been charged to identify locations for housing sexually violent persons in Milwaukee County; and

WHEREAS the Committee is to identify locations to house sexually violent persons which are defined by statute as persons who are dangerous because they suffer from a mental disorder that makes it likely that the persons will engage in acts of sexual violence; and

WHEREAS the Committee is to consider a number of factors when determining specific locations to house sexually violent persons including, but not limited to the following, community safety; proximity to sensitive locations; accessibility to treatment; and proximity to any residential subdivision and any facility for children; and

WHEREAS the Committee has identified 10401 West County Line Road as one of four locations to establish a facility for sexually violent persons; and

WHEREAS the County Line Road location is across the street from two census blocks that includes the Huntington Park subdivision where over 300 children reside and a subdivision in Milwaukee County with over 570 residences, near other sensitive locations such as public parks and preserves including Milwaukee County Kohl Park, Milwaukee County Joseph Lichter Park, City of Mequon Nature Preserve and City of Mequon Lemke Park where children will engage in numerous recreational and education activities and near the John C. Cudahy YMCA, the Granville Elementary School and a daycare in Milwaukee County; and

WHEREAS the County Line Road location is a remote location that does not afford easy access to treatment facilities or for supervision; and

WHEREAS the City of Mequon believes that many aspects of the 10401 West County Line Road location are contrary to the factors outlined in 2003 Wisconsin Act 187 that shall be considered in selecting a site; and

WHEREAS the City of Mequon declares the 10401 West County Line Road location for housing Sexually Violent Offenders to be one that will endanger the safety of children and families who are either living in close proximity or will be engaging in educational and

recreational activities in nearby public land, and that the location will neither provide ready access for sexually violent persons to treatment facilities nor be amenable for supervision;

THEREFORE the City of Mequon demands that the Sexually Violent Person Transitional Facility Siting Advisory Committee declare that the 10401 West County Line Road site does not satisfactorily address the factors to be considered set out in 2003 Wisconsin Act 187 and that the Committee remove the site from any further consideration.

Approved by: Christine Nuernberg
Christine Nuernberg, Mayor

Date Approved: March 16, 2005

This is to certify that the foregoing resolution was adopted by the Common council of the City of Mequon, Wisconsin, at a meeting held on the 15th day of March 2005.

Lee Szygorski
Lee Szygorski, City Clerk

**Village of****Germantown***Willkommen***ADMINISTRATION**

N112 W17001 Mequon Road P.O. Box 337
Germantown, Wisconsin 53022-0337
Phone (262)250-4750
FAX (262) 253-8255

FAX COVER SHEETDATE: 3/22/05TOTAL NUMBER OF PAGES: 2TO: Dean Stan Stojkovic - School of Social WelfareFAX NO: 414-229-5311FROM: Christopher B. Lear, Village Administrator

MESSAGE:

Following is Resolution No. R14-05 Opposing the Location of a Sex Offender Group Home Near Germantown, WI which was passed unanimously by our Village Board at their regularly scheduled meeting held on Monday, March 21, 2005.

IF YOU DO NOT RECEIVE ALL PAGES OR HAVE ANY PROBLEM RECEIVING THIS TRANSMISSION, PLEASE CALL NANCY AT THE TELEPHONE NUMBER LISTED ABOVE. THANK YOU.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FAX IN ERROR, PLEASE IMMEDIATELY CONTACT US BY TELEPHONE. THANK YOU.

**RESOLUTION NO. R14-05
OPPOSING THE LOCATION OF A SEX OFFENDER GROUP
HOME NEAR GERMANTOWN, WISCONSIN**

WHEREAS, the Village of Germantown, Wisconsin is a municipal government whose principle mission is to represent the interests of our 19,000 residents; and

WHEREAS, the Village of Germantown, as part of its mission is to protect from criminal activity, adults and children through safe living environments; and

WHEREAS, our southern border is adjacent to Milwaukee County where a group home for sexual offenders has been proposed at 10401 West County Line Road; and

WHEREAS, the Village of Germantown has residential housing, where children will regularly be present and at risk, living on Wasauke Road, just minutes from the County Line Road Site; and

WHEREAS, the Village of Germantown's main residential development and several elementary schools are located within two to three miles of the proposed location.


NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Germantown strongly opposes the location of any such facility at the proposed location or any other site where our children will be present and at risk from sex offenders.


Introduced by: Trustee William Steitz

Adopted: March 21, 2005

Vote: Ayes: 9 Nays: 0

ATTEST:


Jane A. Wilms, MMC
Village Clerk


Charles J. Hargan
Village President